

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CATHERINE DAVIS

Plaintiff,

**JURY TRIAL**

V.

CIVIL ACTION NO

LAURENCE A. HECKER, ESQ.

Defendant.

FEBRUARY 25, 2010

COMPLAINT

1. Plaintiff seeks relief pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692; Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act. § 14-204 et seq. ("MCDCA"); and the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.
2. The Court's jurisdiction is conferred by 15 U.S.C.1692k and 28 U.S.C. 1331 and 1367.
3. Plaintiff is a natural person who resides in MD.
4. Plaintiff is a consumer within the FDCPA.
5. Defendant is a debt collector within the FDCPA.
6. Defendant has a principal place of business located at 2C SOUTH GOLD DRIVE, HAMILTON, NJ 08691-0000
7. Defendant communicated with Plaintiff or others on or after one year before the date of this action, in connection with collection efforts with regard to Plaintiff's disputed personal debt.

8. Defendant communicated with the Plaintiff and failed to advise her of the required notice pursuant to §1692e (11).
9. Defendant through an agent who identified himself as the manager, named Mr. Peterson, threatened to have Plaintiff's wages garnished if she did not make immediate payment.
10. Defendant has not yet sued or obtained judgment against Plaintiff.
11. Defendants statements were false, deceptive and misleading in violation of §1692e.
12. Plaintiff advised the Defendant that he did not yet have judgment on this debt and could not garnish her wages.
13. Defendant through his agent Mr. Peterson stated he would personally get judgment against Plaintiff.
14. Defendant Mr. Peterson is not an attorney not licensed to practice law in the State of Maryland and his statements that he would personally get judgment against Plaintiff were false, deceptive and misleading in violation of §1692e.
15. Defendant advised the Plaintiff that the amount of debt they were attempting to collect (\$3,523.21) consisted of late charges and court costs.
16. Defendant's statements were false, deceptive and misleading as no action has ever been filed against the Plaintiff on this account therefore there are no court costs associated with the amount allegedly due.
17. In the collection efforts, the Defendant violated the FDCPA, inter alia,

section 1692e, -f, and -g.

SECOND COUNT:

18. The allegations of the First Count are repeated and realleged as if fully set forth herein.


19. Within three years prior to the date of this action Defendant has engaged in acts and practices as to plaintiff in violation of the Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act § 14-204 et seq. ("MCDCA").

20. Defendant has committed unfair or deceptive acts or practices within the meaning of the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.

**WHEREFORE Plaintiff respectfully requests this Court to:**

1. Award Plaintiff statutory damages pursuant to the FDCPA;
2. Award Plaintiff costs of suit and a reasonable attorney's fee;
3. Award declaratory and injunctive relief, and such other and further relief as law or equity may provide

THE PLAINTIFF

  
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